

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: April 11, 2005

JOSÉ M. SANCHEZ

Chairman

JOHN F. NELSON

Clerk of the Board

TOMMIE C. MARTIN

Vice-Chairman

By: Marilyn Brewer
Deputy Clerk

SHIRLEY L. DAWSON

Member

Gila County Courthouse
Globe, Arizona

PRESENT: Jose M. Sanchez, Chairman; Tommie C. Martin, Vice-Chairman; Shirley L. Dawson, Member; John F. Nelson, County Manager/Clerk; and, Bryan Chambers, 2nd Chief Deputy County Attorney.

The Gila County Board of Supervisors met in Special Session at 10:00 a.m. this date. Supervisor Dawson led the Pledge of Allegiance.

Chairman Sanchez called on John Nelson in reference to the approval of a Settlement Agreement, Operating Agreement, and Intergovernmental Agreement between Gila County, the Gila County Provisional Community College District (GCPCCD), and the Graham County Community College District d/b/a Eastern Arizona College (EAC) which pertain to post-secondary educational services in Gila County. Mr. Nelson stated that as the Board is aware, for the last couple of months, a negotiating team was put together to negotiate with the Graham County Community College District d/b/a Eastern Arizona College under the direction of the GDPCCD Board. He stated after several stages of contracts, discussions and meetings with attorneys, the three final agreements before the Board have also been approved by the Graham County Community College District Board as well as by the GCPCCD Board. In the settlement, Mr. Nelson stated that three items of importance that apply to Gila County as an organization are as follows:

1) In the Settlement Agreement, Gila County agrees to settle the lawsuit and in return all personal property will be titled to the GCPCCD Board, and the GCPCCD Board will receive credits on its bills from EAC at \$200,000 per year for five years, providing the Agreement stays in effect that long. If the County were to cancel the Agreement after one year, it would lose the remaining \$800,000 and if EAC backs out after one year, a balance of \$800,000 must be paid to the County.

2) Gila County agrees not to lobby against any current funding formulas on ADM (Average Daily Matriculation) in place; however, that isn't to say that the Board of Supervisors can't go to the Legislature and talk about funding for the County's community college.

3) Gila County will take over statutory and taxing authority (funding) and be in charge of all functions of the college contract should the GCPCCD cease operations for any reason. Mr. Nelson stated that this doesn't mean that education would go away in Gila County, but the Gila County Board of Supervisors would have statutory authority to do something. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously voted to approve the Settlement Agreement, the Operating Agreement, and the Intergovernmental Agreement between Gila County, the Gila County Provisional Community College District, and the Graham County Community College District d/b/a Eastern Arizona College.

At this time, Vice-Chairman Martin asked to speak. She stated: *"I feel it's necessary to explain my position on this. I have maintained from the word go that the decision on the settlement and on services was the Graham (County) Community College District and the (Gila County) Provisional Community College District's decision to make. I had written a letter to the (Gila County) Provisional (Community) College District Board on some concerns that they should have and that I had, and one was answered by Mr. Nelson; in particular, I wasn't willing for us to take on the liability of the Board without the ability of the taxing authority at the same time. I believe that it's important to separate actions here. I believe it*

was the College Board's decision to make, and I absolutely support them in that decision, whether or not I agree with that decision. Time alone will tell whether it was a good or right decision, and they will be held accountable for their decision. It is extremely important to understand that it isn't up to another Board to supersede the actions of these Boards. If we could supersede them, then who supersedes ours? It's the basis to me of representative government and then played out appropriately. With that there is no other position I can take, but to approve the decision that they made. I felt it was necessary to explain as I have quite a constituency who is opposed to that decision and that's why I've approved the agreement settlement. It's theirs to make and ours to acknowledge that they've made that decision." Chairman Sanchez thanked Vice-Chairman Martin for her comments and stated that he completely agrees and applauds the College Board. He noted that Mr. Ashford, GCPCCD Vice-Chairman, was present at this meeting. He stated: *"With this Board approving these agreements, in my mind, this takes care of many of the concerns this Board had several years ago when a lot of these issues came up, and the decisions were made by our taxpayers to go to our own Provisional Community College District and operate that way. Hopefully with this decision of the Boards, now we can go on to supporting each other and providing the best in post-secondary educational services, and at the same time protect the interests of the residents of Gila County."* Supervisor Dawson stated: *"I want to thank all those who have worked hard on this. I don't think anyone would have wanted to serve willingly on this negotiating team. It was a difficult job and Mr. Nelson worked in good faith with directions from both Boards. I appreciate what was done when I went to South America. The people of this County took a stand that college education was important. Now the problem is neither Gila County, the State of Arizona, nor the College Board knows the definition of what a provisional college is, and as we sign this ten-year contract, we wonder what's going to happen to community colleges in the next several years. The State Legislature is going to address this because we need a different structure, and we don't know how that will play out."*

But we have the vote that says Gila County residents are willing to support the college and that is the most important thing we can ask for now. Forget about the bitterness of the past and all work together to see that we have curriculum offered and students enrolled throughout the County at all three campuses...The work that was done does have some good things that took place by creating this. Now let's move on. I think one day we will see 'Gila Community College' and can all work for that." Vice-Chairman Martin stated that she wanted to thank Mr. Nelson, Mr. Besich, and Ms. Ganz for the work they did. She stated: *"This process asked more of them than we knew and almost more than they could give. It was a terrible position to put people in part of the time. What we do from here will decide whether this succeeds or not. We have to look to the students and make it good and right for them. This has been played as a north/south split, but I don't believe that at all. I believe it was more of a few people in a few places, and it's being blown out of proportion. The majority of us want a good education for our kids and I'm truly hoping we can get over the humps ahead in the road and get after providing that good education."* Chairman Sanchez thanked the negotiating team, Mr. Nelson, Mr. Besich, Mr. Chambers and the County Attorney's office for their help and guidance. He stated that from this point forward everyone should try to work together to support the community college. Chairman Sanchez asked if any members of the audience wished to comment. Doug Richardson of Pine, Arizona, stated: *"I supported this move and believe the decision by the Boards of the college and Gila County will go down in time as a very foresighted gesture. It's about the students and accreditation, transferability, and for the students, including adults who want education in their later years, but most of all about the future of Gila County."* Chairman Sanchez thanked everyone for their input.

At this time each Board member and the Chief Administrator presented a brief summary of current events as allowed by A.R.S. §38-431.02(K). No action was taken on any items that were presented.

There being no further business to come before the Board of Supervisors, Chairman Sanchez adjourned the meeting at 10:30 a.m.

José M. Sanchez, Chairman

ATTEST:

John F. Nelson, County Manager/Clerk